

04/09/01
J1093 U.S. PTO

4-10-01

A/BOX SEQ

DOCKET NO.: 21829/101 (EBC-008)
EXPRESS MAIL NO.: EL709322497US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT APPLICATION TRANSMITTAL FORM
(only for new nonprovisional applications under 37 CFR 1.53(b))

J1093 U.S. PTO
09/829124
04/09/01

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231
BOX: PATENT APPLICATION

SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract, 57 pages) of:

Inventors : **Zhong-Min Wei, Shane S. Swanson, and Hao Fan**

For : **HYPERSENSITIVE RESPONSE ELICITOR FROM *XANTHOMONAS CAMPESTRIS***

***If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:*

[] continuation [] divisional [X] Continuation-In-Part (CIP)
of prior application Serial No. **09/412,452**

Prior application information: Examiner : **J. Russel**
Art Unit : **1653**

Enclosed are:

- [X] 1 sheet of formal drawings.
- [] **Signed** Combined Declaration and Power of Attorney (____ pages).
- [] **Copy** of **signed** Combined Declaration and Power of Attorney (____ pages) from a prior application (1.63(d) (for continuation/divisional).
- [] **Signed** statement deleting inventor(s) named in prior application (____ pages) (1.63(d)(2) and 1.33(b)).
- [] **Incorporation By Reference:** The entire disclosure of the prior application, from which a **copy** of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.
- [] Assignment (____ pages) of the invention to _____.
- [] Assignment Transmittal Letter.
- [] Certified copy of a foreign priority document.
- [] Associate power of attorney.
- [X] Applicants claim small entity status. (See 37 CFR 1.27.)

- ☒ A copy of the Request for One-Month Extension of Time in prior application.
- ☐ Information Disclosure Statement, form PTO-1449 (_____ pages) and _____ references.
- ☒ **UNSIGNED** Combined Declaration and Power of Attorney (2 pages).
- ☒ Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.
- ☒ Sequence Listing (3 pages).
- ☒ A self-addressed, prepaid postcard acknowledging receipt.
- ☐ Other:

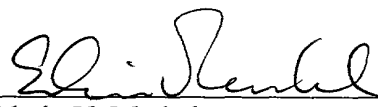
The Filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE	XXXXXXXX	XXXXXXXX	XXXX	\$355	OR	XXXX	\$710
TOTAL CLAIMS	89 - 20 =	69	x 9 =	\$621	OR	x 18 =	\$
INDEP CLAIMS	2 - 3 =	0	x 40 =	\$0	OR	X80 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			x135 =	\$	OR	x270 =	\$
*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2			TOTAL	\$976	OR	TOTAL	\$

- ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____. **A duplicate copy of this sheet is enclosed.**
- ☒ A check in the amount of **\$976.00** to cover the filing fee is enclosed.
- ☒ Address all future communications to:

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603

Date: April 9, 2001


Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (716) 263-1128
Facsimile: (716) 263-1600

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 21829/101 (EBC-008)

APPLICANTS: Zhong-Min Wei, Shane S. Swanson, and Hao Fan

TITLE: **HYPERSENSITIVE RESPONSE ELICITOR FROM
XANTHOMONAS CAMPESTRI**

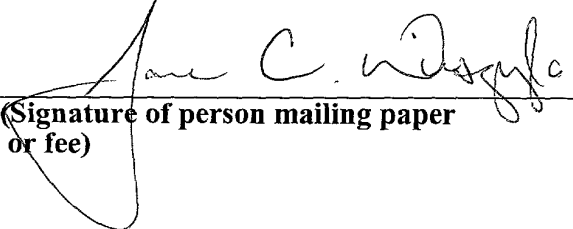
Certificate is attached to the **Patent Application including specification, claims, and abstract (57 pages), UNSIGNED Combined Declaration and Power of Attorney Form (2 pages), and Sequence Listing (3 pages)** of the above-identified application.

EXPRESS MAIL NUMBER: EL709322497US

DATE OF DEPOSIT: April 9, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, BOX: PATENT APPLICATION.

Jane C. Wirszyła
(Typed or printed name of person
mailing paper or fee)


(Signature of person mailing paper
or fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: **21829/101 (EBC-008)**

APPLICANTS: **Zhong-Min Wei, Shane S. Swanson, and Hao Fan**

TITLE: **HYPERSENSITIVE RESPONSE ELICITOR FROM
*XANTHOMONAS CAMPESTRI***

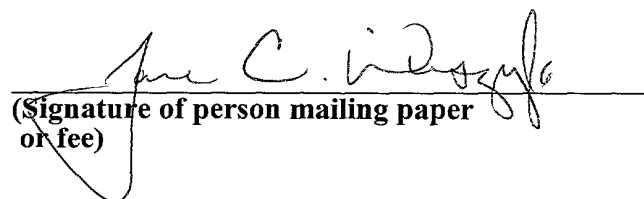
Certificate is attached to the **Formal Drawings (1 sheet)** of the above-identified application.

EXPRESS MAIL NUMBER: **EL709322497US**

DATE OF DEPOSIT: **April 9, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, BOX: PATENT APPLICATION.

Jane C. Wirszyla
(Typed or printed name of person
mailing paper or fee)


(Signature of person mailing paper
or fee)